

HOUSE BILL 3322

By Brown

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-50-1203, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)

(1) For each academic year, no art supply which is deemed by the commissioner of agriculture to contain a toxic substance shall be ordered or purchased by any school or school district in Tennessee for use by students in kindergarten (K) and grades one to six (1-6), inclusive.

(2) At the request of any local education agency, the commissioner shall reexamine any art supply purchased by such LEA for unsafe levels of lead.

SECTION 2. Tennessee Code Annotated, Section 49-50-1204, is amended by deleting the section in its entirety and by substituting instead the following language:

Section 49-50-1204.

(a) The commissioner of agriculture shall develop a list of those art supplies which cannot be purchased or ordered for use in kindergarten (K) and grades one to six (1-6), inclusive, and a list of materials which, while not currently sold or manufactured, may be reasonably suspected to exist at some schools. In developing the lists, the department of agriculture shall consult with the manufacturers of art supplies, artists' groups, health organizations and toxicologists, as the commissioner deems appropriate.

(b) The commissioner of education shall distribute the lists to all school districts in Tennessee, and shall make the lists available to preschools, childcare centers, and other businesses and organizations which involve children in the use of art supplies.

(c) The commissioner of education shall inform school districts of the requirements of this part, and shall encourage school districts to dispose of art supplies which may contain toxic substances.

(d) The commissioner shall post on the web site of the department the list of toxic art supplies developed in accordance with subsection (a) of this section.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.